IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 05-765)

In the Application of:	)	
	)	
Jean-Philippe Starck et al.	)	
	)	**Examiner: Shawquia Young**
Appln. No.: 10/550,667	)	
	)	**Group Art Unit: 1626**
Filing Date: June 28, 2006	)	
	)	**Confirmation No.: 8348**
Title: Indolone-Acetamide Derivatives, Processes for Preparing Them and Their Uses	)	

RULE 132 DECLARATION OF BENOIT KENDA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Benoit Kenda, hereby declare as follows:

1. I am a named inventor of the above-captioned patent application.

2. I am a director of medicinal chemistry at UCB Pharma S.A., the assignee of the above-captioned patent application.

3. I hold a PhD in organic chemistry and have 10 years experience in drug discovery at UCB Pharma S.A. in the field of drug design in the treatment of the central nervous system. This experience covers both the preparation of useful drug compounds as well as the supervision of biologists and pharamcologists in the study of the compounds' biological and pharmacological validation and characterization. Beginning this year, I have headed a 46 persons research team at UCB Pharma S.A. comprising experts in the field of medicinal chemistry, combinatorial chemistry and molecular modeling.

4. My C.V. is attached hereto as Exhibit A.

5. Under my direction and control, several compounds described in the above-captioned patent application were subject to the "audiogenic seizure assay," an art recognized animal model of primary generalized epilepsy. The assay employs sound-susceptible,

genetically altered mice and evokes reflex seizures without electrical or chemical stimulation. The seizure types observed are, at least in part, similar in their clinical phenomenology to seizures occurring in humans. *See*, Löscher W. & Schmidt D., Epilepsy Res. (1998) **2**, 145-1 81) (see Exhibit B).

5. The assay was performed on a compound from Morozov *et al.* and compounds from the above-captioned application according to the method described in Example 9, p. 50 of WO 2004/087658.

6. The results of the assay are presented in the following table:

Test compound	Example No.	ED_{50} (µmol/kg)
(2-oxo-2,3-dihydro-1H-indol-1-yl)acetamide	Morozov *et al.*	360
2-(5-iodo-2-oxo-2,3-dihydro-1H-indol-1-yl)acetamide	2	5
2-(5-chloro-2-oxo-2,3-dihydro-1H-indol-1-yl)acetamide	3	5
2-(5,7-dibromo-2-oxo-2,3-dihydro-1H-indol-1-yl)acetamide	4	8
(2S)-2-(5-chloro-2-oxo-2,3-dihydro-1H-indol-1-yl)propanamide	34	3
2-(2-oxo-5-(trifluoromethyl)-2,3-dihydro-1H-indol-1-yl)acetamide	42	56
2-(5-chloro-7-fluoro-2-oxo-2,3-dihydro-1H-indol-1-yl)acetamide	57	80

7. These data show that the tested compounds had from 4.5 to 120 times greater efficacy in the assay relative to the compound of Morozov *et al.* In my view, these are substantial differences that could not have been expected or predicted *a priori*.

8. I hereby declare further that all statements made herein by me to my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed: _____ Date: 13-10-08

Benoit Kenda